



10-22-07

AF  
CF

Express Mail No. EV 913 329 695 US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Flechtner et al.

Confirmation No.: 4151

Serial No.: 10/776,521

Art Unit: 1648

Filed: February 12, 2004

Examiner: Blumel, Benjamin P.

For: HEAT SHOCK PROTEIN-BASED VACCINES AND  
IMMUNOTHERAPIES

Attorney Docket No: 8449-405-999

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCESMail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated April 18, 2007 of the Primary Examiner finally rejecting claims 1, 2, 4, 11, 13, 27, 28, 31, 34, 35, and 38-44 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three month(s):  
☐ was filed on  
☒ is submitted herewith.
2. ☐ A timely response to the final rejection has been filed.
3. ☐ A fee in the amount of \$510.00 is:  
☐ Required.  
☐ Not required (Fee paid in prior appeal).
4. ☒ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of \$255.00 is:  
☒ Required.  
☐ Not required (Fee paid in prior appeal).
5. ☒ Please charge the required fee, if any, to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: October 18, 2007

32,605

Adriane M. Antler

(Reg. No.)

JONES DAY

222 East 41st Street

New York, New York 10017

(212) 326-3939

10/23/2007 SFELEKE1 00000013 503013 10776521

01 FC:2401. 255.00 DA